

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHEASTERN DIVISION

Patua Wopea,)	
)	
Petitioner,)	
)	Case No. 2:09-cv-98
vs.)	
)	
Eric H. Holder, Attorney General, et al.,)	REPORT AND
)	RECOMMENDATION
)	
Respondents.)	

Petitioner Patua Wopea (“Wopea”) filed a petition for a writ of habeas corpus (Doc. #1) pursuant to 28 U.S.C. § 2241 asserting claims arising out of his detention by Immigration and Customs Enforcement (“ICE”) pending removal to the Republic of Liberia (“Liberia”). Because petitioner alleged cognizable claims, the court ordered service upon the respondents. The United States of America filed a response contending that Wopea’s petition should be dismissed because his removal to Liberia is reasonably foreseeable. (Doc. #5). The respondents have now filed a motion to dismiss because Wopea was removed from the United States on an ICE repatriation charter to Liberia on January 26, 2010. (Doc. #6-1). Consequently, Wopea’s petition is moot. Accordingly, it is **RECOMMENDED** that respondents’ motion to dismiss (Doc. #6) be **GRANTED**, and Wopea’s petition for a writ of habeas corpus (Doc. #1) be **DISMISSED** with prejudice.

Dated this 12th day of February, 2010.

/s/ Karen K. Klein
Karen K. Klein
United States Magistrate Judge

Notice of Right to Object

Pursuant to Federal Rule of Civil Procedure 72(b)(2) and Local Rule 72.1 (D)(3), any party may object to this recommendation within fourteen (14) days after being served with a copy.